

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Integrated Recycling Technologies Corporation,) Civil File No.: 13-CV-01025 DWF/FLN
)
Plaintiff,)
)
vs.)
)
CMET International, Inc.,)
)
Defendant.)
)

AFFIDAVIT OF MARK T. BERHOW
PURSUANT TO THE COURT'S
SEPTEMBER 11, 2013 ORDER

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Mark T. Berhow, being duly sworn, states:

1. I am one of the attorneys of record representing Defendant CMET International, Inc. ("CMET") in the above-captioned matter. I am fully familiar with these proceedings and make this affidavit pursuant to the Court's September 11, 2013 Order.

2. I am the lead attorney for Defendant in this matter. I graduated from the University of Minnesota Law School in 2001, was admitted to practice in the State of Minnesota in 2001, and was elected partner at Hinshaw & Culbertson LLP in 2010. I am admitted to practice in Minnesota state and federal courts, as well as the Eighth Circuit Court of Appeals, and the United States Supreme Court. I specialize in the area of commercial litigation.

3. My hourly billing rate for this matter is \$325, which is my normal hourly billing rate for commercial litigation. I spent 5.4 hours preparing for and attending the settlement conference in this matter for a total of \$1,755. This amount was reasonably and necessarily expended to properly represent CMET at the settlement conference.

4. Defendant also incurred costs of having its representatives attend the settlement conference. Jason Lee traveled from New York, NY to attend the settlement conference. Defendant incurred \$503.58 for air travel, \$131.55 for hotel accommodations, and \$66 in parking fees for Mr. Lee to attend the settlement conference, for a total of \$700.93. Joseph Cotant traveled from Detroit, MI to attend the settlement conference. Defendant incurred \$887.59 for air travel, \$146.29 for hotel accommodations and \$20 in parking fees for Mr. Cotant to attend the settlement conference, for a total of \$1,053.88. Accordingly, Defendant's total costs, exclusive of attorneys' fees, for attending the settlement conference totals \$1,734.81.

5. Therefore, Defendant's reasonable costs and attorney's fees incurred in attending the Settlement Conference totals \$3,489.81.

FURTHER YOUR AFFIANT SAYETH NOT.

s/Mark T. Berhow
Mark T. Berhow

Subscribed and sworn to before me
this 13th day of September, 2013.

s/Susan VonKlehr
Notary Public